GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Renewal of mining lease over an extent of 5.43 Ha. of forest land (i.e. 3.02 Ha. for mining +0.85 Ha. of for dumping + 0.83 Ha. for safety zone + 0.73 Ha. for road) in Compt.No.213 of Paradarami R.F. of Chittoor (West) Division for Black Granite quarry lease, in favour of M/s.Vaishnav Granites, Chittoor- Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 90 **Dated: 28-08-2018.**
Read the following:-

1. From PCCF & HoFF, Lr.No.1355/2016/ FCA-2, Dt. 15-3-2017.
2. State Govt.Lr.No.1252/Section-II/2017, Dt.30-06-2017.
3. From GoI, MoEF&C.C, Lr.No.4-APC039/2017-CHN/1564, dt.28-9-2017.
4. State Govt.Lr.No.1252/Section-II/2017, Dt.19-07-2018.
5. From GoI, MoEF&C.C, Lr.No.4-APC039/2017-CHN/1197, dt.30-07-2018.

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ORDER:

The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh in his letter 1st read above, had submitted a proposal under Forest (Conservation) Act, 1980, for renewal of mining lease over an extent of 5.43 Ha. Of forest land (i.e. 3.02 Ha. for mining +0.85 Ha. of for dumping + 0.83 Ha. for safety zone + 0.73 Ha. for road) in Compt.No.213 of Paradarami R.F. of Chittoor (West) Division for Black Granite quarry lease, in favour of M/s.Vaishnav Granites, Chittoor and requested to forward the same to Government of India, Ministry of Environment, Forests, & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment, Forests, & Climate Change, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment, Forests, & Climate Change, vide their letter 3rd read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein.

4. Accordingly, the State Government vide letter 4th read above, have furnished the compliance report on the conditions stipulated by the Government of India Ministry of Environment, Forests, & Climate Change, while according in-principle (Stage-I) approval.

5. Government of India, Ministry of Environment, Forests, & Climate Change in their letter 5th read above, have accorded (Stage-II) approval under Section- 2 of Forest (Conservation) Act, 1980, for renewal of mining lease over an extent of 5.43 Ha. of forest land (i.e. 3.02 Ha. for mining +0.85 Ha. of for dumping + 0.83 Ha. For safety zone + 0.73 Ha. for road) in Compt.No.213 of Paradarami R.F. of Chittoor (West) Division for Black Granite quarry lease, in favour of M/s.Vaishnav Granites, Chittoor, subject to certain conditions as stipulated therein.

6. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh for renewal of mining lease over an extent of 5.43 Ha. of forest land (i.e. 3.02 Ha. for mining +0.85 Ha. of for dumping + 0.83 Ha. for safety zone + 0.73 Ha. for road) in Compt.No.213 of Paradarami R.F. of Chittoor (West) Division for Black Granite quarry lease, in favour of M/s.Vaishnav Granites, Chittoor, subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged;

ii. Fencing around the entire area including safety zone and regeneration of the safety zone shall be carried out by the State Department so as to maintain is as green belt from the amount which has already been realized from the user agency;

iii. Demarcation of the mining area as well as the safety zone area shall be completed as stipulated in Stage –I, if not done already;

iv. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from User Agency;

v. Mining shall be done in the forest area in accordance with the approved mining plan from the competent authority;

vi. The user agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;

vii. The period of diversion of the said forest land under this approval shall be deemed to have been extended for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) amendment Act, 2015, or Rules framed there under as per the guidelines of the Ministry dated 30.11.2017;

viii. Consent of the State Pollution Control Board shall be obtained under the Air and Water Act before commencement of mining operations and it shall be renewed periodically as required ;

ix. The reclamation work in the mining area shall be taken up by the user agency in a phased manner. Reclamation plan shall be prepared and submitted to the State Forest Department and the State Forest Department shall ensure that reclamation is being implemented in a phased manner.

x. The-State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forest (having crown density less than 0.4) over 2 ha located in the area within 100 meters from outer perimeter of the mining lease from the amount which has already been realized from the user agency and the State Forest Department shall furnish map and DGPS co-ordinates of the degraded forest land within three months from the date of issue of this approval;

xi. As per the records available at the Regional Office, it appears that the State Forest Department has carried out afforestation over 1.37 ha of degraded forest land (i.e. one and half times the safety zone area) during the earlier diversion period. The factual position shall be verified and confirmed by the State Government along with submission of relevant map along with DGPS co-ordinates of the said degraded forest land. In case of any shortfall detected in this regard, the State Government shall ensure to undertake afforestation as required, at the cost of the user agency;

xii. No labour camps shall be established on the forest land. The user agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;

xiii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;

xiv. The forest land approved for diversion shall not be used for any purpose other than that specified in the proposal and total forest area utilized for the project shall not exceed 5.43 ha (including safety zone area);

xv. The forest land approved for diversion shall under no circumstances be transferred or sublet to any other agency or Department or person without prior approval of the Central Government;

xvi. All other conditions proposed by the State Government at the time of submission of the proposal to the Central Government shall be complied with by the user agency.

xvii. The user agency and the State Government shall ensure compliance to all the Acts, Rules, Regulations and Guidelines of the Ministry, for the time being in force, as applicable to such project;

xviii. Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area shall be complied by the user agency;

xix. The user agency shall submit an annual self compliance report in respect of the above conditions to the Regional Office of the Ministry and to the State Government;

xx. In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

7. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

M/s.Vaishnav Granites,
1-564, Reddy Street Katta Manchi,
Chittoor District – 517001.

P.S to Hon'ble Minister (EFS&T)

P.S to Principal Secretary to Government, EFS&T Dept.,

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER